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**REMARKS**

By the present amendment and response, claims 1, 11, and 19 have been amended to overcome the Examiner's objections and claim 2 has been canceled. Thus, claims 1 and 3-21 remain in the present application. Reconsideration and allowance of pending claims 1 and 3-21 in view of the above amendments and the following remarks are requested.

**A. Rejection of Claims 1-3, 5, 10-12, 15-16, 19, and 21 under 35 USC****§102(b)**

The Examiner has rejected claims 1-3, 5, 10-12, 15-16, 19, and 21 under 35 USC §102(b) as being anticipated by U.S. patent number 5,425,096 to Masaaki Okada (hereinafter "Okada"). For the reasons discussed below, Applicant respectfully submits that the present invention, as defined by amended independent claims 1 and 11, is patentably distinguishable over Okada.

The present invention, as defined by amended independent claim 1, includes, among other things, "a third switch having a first terminal coupled to a voltage source and a second terminal coupled to said first capacitor, said third switch being closed during said break state to precharge said first capacitor to enable said first capacitor to transfer charge onto said second capacitor at initiation of said make state." As disclosed in the present application, a second capacitor (e.g. capacitor 322) is coupled to an amplification circuit, a first switch (e.g. pulse\_n switch 318), and a second switch (e.g. switch 330) at a

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common node (e.g. node 320). As disclosed in the present application, during a break state, a third switch (e.g. pulse switch 312) couples a voltage source (e.g. voltage source 316) to a first capacitor (e.g. capacitor 310). As disclosed in the present application, the first and second switches are open during the break state and closed during a make state.

In one embodiment of the present invention disclosed in the present application, during the break state, the first capacitor is precharged to a final voltage that the common node (e.g. node 320) is required to have in the make state. As disclosed in the present application, at the initiation of the make state, the first switch (e.g. pulse\_n switch 318) closes to connect the first capacitor (e.g. capacitor 310) to the common node (e.g. node 320). As a result, the first capacitor (e.g. capacitor 310) transfers a large amount of charge onto the second capacitor (e.g. capacitor 322), which causes the voltage at the common node (e.g. node 320) to rise rapidly to a required make state voltage. The rapid rise in voltage at the common node causes DC loop current to be drawn via the amplification circuit. By precharging the first capacitor (e.g. capacitor 310) to the required make state voltage at the common node (e.g. node 320), an embodiment of the present invention advantageously enables the DC loop current to rise fast enough during the make state transition to meet pulse dialing mask requirements.

In contrast to the present invention as defined by amended independent claim 1, Okada does not teach, disclose, or suggest “a third switch having a first terminal coupled to a voltage source and a second terminal coupled to said first capacitor, said third switch being closed during said break state to precharge said first capacitor to enable said first

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capacitor to transfer charge onto said second capacitor at initiation of said make state.” Okada specifically discloses network control unit (NCU) 9 including capacitors C1 and C2, photocoupler 91, and transistors 93 and 94, where the collector of transistor 93 is coupled to capacitor C2 at node D, the collector of transistor 94 is coupled to the base of transistor 93, and capacitor C1 and photocoupler 91 are coupled to the base of transistor 94 at node A. See, for example, column 2, lines 66-68 and Figure 2 of Okada.

On page 3 of the Final Rejection dated November 17, 2004, the Examiner states that a third transistor (i.e. photocoupler 91) operates in the complimentary fashion as transistors 93 and 94 such that it is closed during a break state and causes the first capacitor (i.e. capacitor C1) to charge to the level of the virtual ground. However, in Okada, when transistors 93 and 94 are off, photocoupler 91 is turned on, which causes the electrical potential of node A to fall to ground level. See, for example, column 3, lines 1-8 and Figures 2 and 3 of Okada. Thus, since capacitor C1 is connected between node A and ground level, when node A falls to ground level (i.e. when photocoupler 91 is turned on), both terminals of capacitor C1 are coupled to ground level. Thus, Applicant respectfully submits that capacitor C1 is not precharged during a break state, as specified in amended independent claim 1. Furthermore, Okada fails to teach, disclose, or remotely suggest a third switch being closed during a break state to precharge a first capacitor to enable the first capacitor to transfer charge onto a second capacitor at initiation of a make state, as specified in amended independent claim 1.

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For the foregoing reasons, Applicant respectfully submits that the present invention, as defined by amended independent claim 1, is not suggested, disclosed, or taught by Okada. As such, the present invention, as defined by amended independent claim 1, is patentably distinguishable over Okada. Thus claims 3, 5, and 10 depending from amended independent claim 1 are, *a fortiori*, also patentably distinguishable over Okada for at least the reasons presented above and also for additional limitations contained in each dependent claim.

Amended independent claim 11 recites similar limitations as amended independent claim 1. Thus, for similar reasons as discussed above, the present invention, as defined by amended independent claim 11, is also patentably distinguishable over Okada. Thus claims 12, 15-16, 19, and 21 depending from amended independent claim 11 are, *a fortiori*, also patentably distinguishable over Okada for at least the reasons presented above and also for additional limitations contained in each dependent claim.

**B. Rejection of Claims 4 and 18 under 35 USC §103(a)**

The Examiner has rejected claims 4 and 18 under 35 USC §103(a) as being unpatentable over Okada. As discussed above, amended independent claims 1 and 11 are patentably distinguishable over Okada. Thus claim 4 depending from amended independent claim 1 and claim 18 depending from amended independent claim 11 are, *a fortiori*, also patentably distinguishable over Okada for at least the reasons presented above and also for additional limitations contained in each dependent claim.

**C. Rejection of Claims 6-9, 13-14, 17, and 20 under 35 USC §103(a)**

The Examiner has rejected claims 6-9, 13-14, 17, and 20 under 35 USC §103(a) as being unpatentable over Okada in view of U.S. patent number 5,500,895 to Gerald J. Yurgelites. As discussed above, amended independent claims 1 and 11 are patentably distinguishable over Okada. Thus claims 6-9 depending from amended independent claim 1 and claims 13-14, 17, and 20 depending from amended independent claim 11 are, *a fortiori*, also patentably distinguishable over Okada for at least the reasons presented above and also for additional limitations contained in each dependent claim.

**D. Conclusion**

Based on the foregoing reasons, the present invention, as defined by amended independent claims 1 and 11, and claims depending therefrom, is patentably distinguishable over the art cited by the Examiner. Thus, claims 1 and 3-21 pending in the present application are patentably distinguishable over the art cited by the Examiner. As such, and for all the foregoing reasons, an early Notice of Allowance for claims 1 and 3-21 pending in the present application is respectfully requested.

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Respectfully Submitted,  
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Date: 2/11/05



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